

## UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

**SENTENCING MINUTE SHEET**

CR No.	05-1849 JH			USA vs.	Gil		
Date:	April 14, 2011			Name of Deft:	Manuel Gil		
Before the Honorable				Judith C. Herrera			
Time In/Out:	1:41 pm - 2:14 p.m.			Total Time in Court (for JS10):	33 minutes		
Clerk:	I. Duran			Court Reporter:	P. Baca		
AUSA:	James Braun			Defendant's Counsel:	Timothy Padilla		
Sentencing in:	Albuquerque, NM			Interpreter:	Bethany Korp-Edwards		
Probation Officer:	Ron Travers			Sworn?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/>	Plea	<input type="checkbox"/>	Verdict	As to:	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Superseding Indictment
If Plea:	<input type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	Adjudged/Found Guilty on Counts:	Ct. I	
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	<input type="checkbox"/> No Plea Agreement	Comments:	
Date of Plea/Verdict:	02/02/07			PSR:	<input checked="" type="checkbox"/>	Not Disputed	<input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:							
<b>SENTENCE IMPOSED</b>				Imprisonment (BOP): 37 months			
Supervised Release:	3 years			Probation:	<input checked="" type="checkbox"/>	500-Hour Drug Program	
<b>SPECIAL CONDITIONS OF SUPERVISION</b>							
<input type="checkbox"/>	No re-entry without legal authorization			<input type="checkbox"/>	Home confinement for _____ months _____ days		
<input type="checkbox"/>	Comply with ICE laws and regulations			<input type="checkbox"/>	Community service for _____ months _____ days		
<input type="checkbox"/>	ICE to begin removal immediately or during sentence			<input type="checkbox"/>	Reside halfway house _____ months _____ days		
<input checked="" type="checkbox"/>	Participate in substance abuse program/drug testing			<input type="checkbox"/>	Register as sex offender		
<input type="checkbox"/>	Participate in mental health program			<input type="checkbox"/>	Participate in sex offender treatment program		
<input checked="" type="checkbox"/>	No alcohol/liquor establishments			<input type="checkbox"/>	Possess no sexual material		
<input checked="" type="checkbox"/>	Submit to search of person/property			<input type="checkbox"/>	No computer with access to online services		
<input checked="" type="checkbox"/>	No contact with co-conspirators and/or co-Defts			<input type="checkbox"/>	No contact with children under 18 years		
<input type="checkbox"/>	No entering, or loitering near, victim's residence			<input type="checkbox"/>	No volunteering where children supervised		
<input type="checkbox"/>	Provide financial information			<input type="checkbox"/>	Restricted from occupation with access to children		
<input type="checkbox"/>	Grant limited waiver of confidentiality			<input type="checkbox"/>	No loitering within 100 feet of school yards		
<input checked="" type="checkbox"/>	OTHER: Standard & Mandatory Conditions: Deft must submit to DNA collection & deft shall not possess firearms, etc SPECIAL CONDITIONS: If deft is deported; deft must not reenter the USA w/out authorization of immigration authorities.						
Fine: \$	0			Restitution: \$	0		
SPA: \$	100 (\$100 as to each Count)			Payment Schedule:	<input checked="" type="checkbox"/>	Due Imm.	<input type="checkbox"/> Waived
OTHER:							
<input checked="" type="checkbox"/>	Advised of Right to Appeal			<input type="checkbox"/>	Waived Appeal Rights per Plea Agreement		
<input checked="" type="checkbox"/>	Deft remanded into Custody			<input type="checkbox"/>	Voluntary Surrender		
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:			FCI, La Tuna, NM			
Dismissed Counts:							

OTHER COMMENTS	<p>Ct. notes that this hearing is a continuation from 3/3/11. Defense makes argument &amp; asks for a sentence of 37 months. Deft addresses Ct. Govt. addresses Ct. Ct. makes findings &amp; notes that deft has no criminal history, except for this offense &amp; that this deft has lived in the USA for 40 years &amp; has been compliant under pretrial supervision. Govt. has no objection. Defense has no objection &amp; requests designation at FCI La Tuna &amp; imposition of a drug program. Further, defense stated that deft is a diabetic &amp; requests that the US Marshal administer deft's medication twice a day. Ct. has reviewed the PSR &amp; findings &amp; has considered the sentencing guidelines &amp; the factors under 3553 &amp; imposes sentence. Ct directs US Marshal to administer medication to this defendant.</p>
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